

Fill in this information to identify the case:

United States Bankruptcy Court for the:

District of Minnesota
(State)

Case number (if known): _____ Chapter 7

☐ Check if this is an amended filing

Official Form 205

Involuntary Petition Against a Non-Individual

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed

1. Chapter of the Bankruptcy Code

Check one:

- ☒ Chapter 7
☐ Chapter 11

Part 2: Identify the Debtor

2. Debtor's name

ERP Iron Ore, LLC

3. Other names you know the debtor has used in the last 8 years

ERPI

Include any assumed names, trade names, or doing business as names.

4. Debtor's federal Employer Identification Number (EIN)

☒ Unknown

EIN _____

5. Debtor's address

Principal place of business

28754 County Rd. 61

Number Street

Grand Rapids

City

MN

State

55744

ZIP Code

Itasca

County

Mailing address, if different

15 Appledore Lane

Number Street

P.O. Box

Natural Bridge

City

VA

State

24578

ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City

State

ZIP Code

Debtor ERP Iron Ore, LLC
Name

Case number (if known) _____

6. Debtor's website (URL) http://www.erpironore.com/

7. Type of debtor
- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other type of debtor. Specify: _____

8. Type of debtor's business

Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the types of business listed.
- ☐ Unknown type of business.

9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____
District _____ Date filed _____ Case number, if known _____
MM / DD / YYYY

Debtor _____ Relationship _____
District _____ Date filed _____ Case number, if known _____
MM / DD / YYYY

Part 3: Report About the Case

10. Venue

Check one:

- ☒ Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

At least one box must be checked:

- ☒ The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.
- ☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?

☒ No

☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

Debtor ERP Iron Ore, LLC
Name

Case number (if known) _____

13. Each petitioner's claim	Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
	<u>GPIOP - See Exhibit A</u>	<u>See Exhibit A</u>	<u>\$ 398,101.81</u>
	<u>HT Surface - See Exhibit A</u>	<u>See Exhibit A</u>	<u>\$ 6,750.00</u>
	<u>Chester - See Exhibit A</u>	<u>See Exhibit A</u>	<u>\$ 47,212.50</u>
	Total of petitioners' claims		<u>\$ (See Exhibit A)</u>

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4: Request for Relief

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative

Name and mailing address of petitioner

Glacier Park Iron Ore Properties LLC
Name
755 E Mulberry Ave. Suite 600
Number Street
San Antonio TX 78212
City State ZIP Code

Name and mailing address of petitioner's representative, if any

David A. Schlager
Name
755 E Mulberry Ave. Suite 600
Number Street
San Antonio TX 78212
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5-25-2018
MM / DD / YYYY

X [Signature] President
Signature of petitioner or representative, including representative's title

Attorneys

Dennis M. Ryan
Printed name
Faegre Baker Daniels LLP
Firm name, if any
90 South 7th Street Suite 2200
Number Street
Minneapolis MN 55402
City State ZIP Code
612-766-6810
Contact phone
Email Dennis.Ryan@FaegreBD.com
0161275
Bar number
State MN

X [Signature]
Signature of attorney

Date signed 5/25/2018
MM / DD / YYYY

Debtor ERP Iron Ore, LLC
Name

Case number (if known) _____

Name and mailing address of petitioner

Chester Company Limited

Name

1035 7th AVENUE EAST

Number Street

HIBBING

City

MN

State

55746

ZIP Code

Name and mailing address of petitioner's representative, if any

COURTNEY BOT

Name

1035 7th AVENUE EAST

Number Street

HIBBING

City

MN

State

55746

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 05/25/2018
MM / DD / YYYY

x Courtney Bot, Agent
Signature of petitioner or representative, including representative's title

Dennis M. Ryan

Printed name

Faegre Baker Daniels LLP

Firm name, if any

90 South 7th Street, Suite 2200

Number Street

Minneapolis

City

MN

State

55402

ZIP Code

Contact phone 612-766-6810

Email Dennis.Ryan@FaegreBD.com

Bar number 0161275

State MN

x [Signature]
Signature of attorney

Date signed 5/25/2018
MM / DD / YYYY

Name and mailing address of petitioner

HT Surface and Mineral LLC

Name

740 EAST SUPERIOR STREET

Number Street

DULUTH

City

MN

State

55802

ZIP Code

Name and mailing address of petitioner's representative, if any

COURTNEY BOT

Name

1035 7th AVENUE EAST

Number Street

HIBBING

City

MN

State

55746

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 05/25/2018
MM / DD / YYYY

x Courtney Bot, Agent
Signature of petitioner or representative, including representative's title

Dennis M. Ryan

Printed name

Faegre Baker Daniels LLP

Firm name, if any

90 South 7th Street, Suite 2200

Number Street

Minneapolis

City

MN

State

55402

ZIP Code

Contact phone 612-766-6810

Email Dennis.Ryan@FaegreBD.com

Bar number 0161275

State _____

x [Signature]
Signature of attorney

Date signed 5/25/2018
MM / DD / YYYY

Debtor ERP Iron Ore, LLC
Name

Case number (if known) _____

Name and mailing address of petitioner

ALLETE, Inc. d/b/a Minnesota Power

Name

30 West Superior Street

Number Street

Duluth

MN

55802

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Alan R. Hodnik, Chairman, President, and CEO

Name

30 West Superior Street

Number Street

Duluth

MN

55802

City

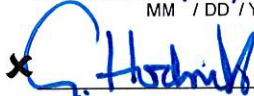
State

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

05/25/2018
MM / DD / YYYY

x 

Signature of petitioner or representative, including representative's title

Christopher D. Anderson

Printed name

Associate General Counsel ALLETE Inc. - Minnesota Power

Firm name, if any

30 West Superior Street

Number Street

Duluth

MN

55802

City

State

ZIP Code

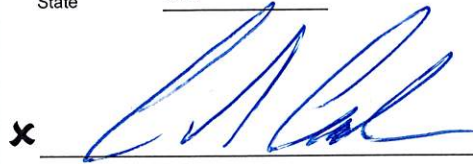
Contact phone 218-723-3961

Email canderson@allete.com

Bar number 21808

State

MN

x 

Signature of attorney

Date signed

5/25/2018
MM / DD / YYYY

Name and mailing address of petitioner

Name

Number Street

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City

State

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

MM / DD / YYYY

x

Signature of petitioner or representative, including representative's title

Printed name

Firm name, if any

Number Street

City

State

ZIP Code

Contact phone

Email

Bar number

State

x

Signature of attorney

Date signed

MM / DD / YYYY

Debtor: ERP Iron Ore, LLC

EXHIBIT A
Claimants

<u>Claimant</u>	<u>Nature of Claim</u>	<u>Amount</u>
Glacier Park Iron Ore Properties LLC ("GPIOP")	2016 royalties relating to various mineral leases in accordance with the Order Enforcing the Sale Order and Directing ERP Iron Ore, LLC to Pay Certain Assumed Liabilities [Case No. 15-50307, Dkt. 1719]	\$398,101.81
ALLETE, Inc. d/b/a Minnesota Power	Electric Power and Services	\$4,381,260.98
HT Surface and Mineral LLC ("HT Surface")	2016 royalties relating to the Holman Tailings Basin License Agreement dated July 1, 2009	\$6,750.00
Chester Company Limited ("Chester")	2016 royalties relating to the Holman Tailings Basin License Agreement dated July 1, 2009	\$47,212.50
GPIOP as successor to Great Northern Iron Ore Properties	2016 royalties relating to the Holman Tailings Basin License Agreement dated July 1, 2009	\$21,037.50
	TOTAL	\$4,854,362.79